

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANTHONY KEYTER—Lead Plaintiff
(Retired Boeing Instructor Pilot); NEXT
OF KIN of Deceased, Flight IX-812;
INJURED PASSENGERS, Flight IX-812,

Plaintiffs,

v.

THE BOEING COMPANY,

Defendant.

CASE NO. C13-982-RSM

ORDER OF DISMISSAL

This matter comes before the Court on Plaintiff's "Response To 'Order On Motions'" ("Response"). Dkt. # 19. On August 18, 2013, the Court granted pro se Plaintiff leave to file an amended complaint to plead viable claims on his own behalf and not on behalf of a putative class of plaintiffs. Dkt. # 18. In that Order, the Court noted that Plaintiff may not represent a putative class on a pro se basis. *Id.* (citing *Simon v. Hartford Life, Inc.*, 546 F.3d 661 (9th Cir. 2008)). It required Plaintiff to file an amended complaint by September 13, 2013. *Id.*

1 Plaintiff did not timely file an amended complaint. On September 16, 2013, three days
2 past the filing deadline set by the Court, Plaintiff filed a Response wherein he stated that the
3 “Court’s ‘Order on Motions’ is illegal, cannot be allowed to stand, and must be re-considered or
4 amended” Dkt. # 19, p. 1. The Response further stated that the “Complaint stands in its own
5 right and merits due process of law” because the “serious offenses committed by Boeing
6 officials” were “fully described in the 2000-page ‘Dossier of Crimes’ filed in this case in the
7 Motion for Joinder of Defendants, in Volume III, Chapters 1 and 42” *Id.* at p. 3. Plaintiff has
8 since filed three letters (Dkt. ## 20, 22, 26); a “Motion for Arrest and Preliminary Hearing” (Dkt.
9 # 23); a “Motion to Appoint a Prosecutor” (Dkt. # 24); and a “Motion to Compel” (Dkt. # 25) in
10 this case. Having reviewed Plaintiff’s submissions, the Court finds that Plaintiff failed to comply
11 with the August 16, 2013 Order in the following respects:

12 (1) Plaintiff has not filed a single, concise statement of his claims against Defendant and
13 has not filed an amended complaint on behalf of himself and not a putative class of
14 plaintiffs.

15 (2) Plaintiff failed to file an amended complaint within the time specified by the Court.

16 (3) Plaintiff continues to file motions and requests seeking criminal penalties against
17 Defendant despite being repeatedly informed that the Court has no power to
18 investigate his allegations of criminal wrongdoing against the Boeing Company, or
19 others, nor does it have the authority to appoint a prosecutor to initiate a criminal
20 action. These repetitive filings constitute an abuse of the legal process.

21 (4) Plaintiff continues to level harassing allegations against the undersigned and other
22 United States District Court Judges for their so-called involvement in the “seditious[]
23 conspir[acy] to prevent, hinder, and delay the faithful execution of the laws of the
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1 United States in the case against the Boeing Company” (Dkt. # 19, p. 8). *See also*
2 Dkt. ## 13, 20.

3 For the reasons set forth above, the Court finds that Plaintiff’s “Response” and
4 subsequent filings fail to comply with the Court’s August 16, 2013 Order, are harassing, and
5 constitute an abuse of the legal process. Accordingly, this action is hereby DISMISSED with
6 prejudice. All pending motions are stricken as MOOT.

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8 Dated this 30th day of October 2013.

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11 RICARDO S. MARTINEZ
12 UNITED STATES DISTRICT JUDGE
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